

### **REMARKS**

Claims 1-8 and 10-42 are in the present application. Claims 1, 2, 6, 22, 23, and 27-29 are currently amended, claim 9 is canceled, claims 30-42 are newly added, and claims 3-5, 7, 8, 10-21, and 24-26 are unchanged from the original patent application.

Claims 1-3, 6, 9, 14-18, and 20-22 were rejected under 35 USC 102(b) as being anticipated by Barry (US 5,786,805). This rejection is traversed.

Regarding the Office Action's basis for rejecting claim 1, the Office Action states that Barry discloses a method for supplying a signal from the input device and providing a set of acceleration data in dependence upon the signal.

Referring to claim 1 as amended herein, claim 1 states, in relevant part,

A method of selecting an object by controlling movement of a focus on a graphical display using an input device having a dual-state button for moving the focus in a given direction, the method comprising:

receiving a signal from said dual-state button;

providing, in response to receiving said signal, predefined acceleration data for accelerating said cursor in said given direction (emphasis added)

Clearly, Applicant claims a method including receiving a signal from a dual-state button and providing, in response to receiving the signal (from the dual-state button), predefined acceleration data. Support for the current amendment of claim 1 may be found in the original claim 9 (now canceled) and the specification at least at page 9, lines 11-14.

In distinct contrast to Applicant's claimed method, the cited and relied upon Barry does not disclose (or suggest) the claimed receiving a signal from a dual-state button.

Barry appears to disclose merely converting a detected motion or force applied to a pointing device into a displacement using a transducer (see col. 2, lines 56-63), accumulating displacement data and delivering displacement data to a CPU (see col. 3, lines 39-44). It is further noted that the selection switches disclosed in Barry for selecting objects at col. 2, lines 37-38 are not "dual-state" buttons for moving a cursor in a given direction, as claimed by Applicant.

Furthermore, Barry discloses that the acceleration therein is measured and used in determining whether and for how long a "sticky property" is enabled. (see col. 4, lines 31-47 and col. 5, line 66 to col. 7, line 3) That is, the acceleration data disclosed in Barry is measured, not provided as predefined acceleration data as claimed by Applicant.

Therefore, Barry does not disclose each and every element, configured as claimed by Applicant. Accordingly, Barry does not anticipate claim 1 under 35 USC 102(b).

Claims 2, 3, 6, 9, 14-18 and 20-21 depend from claim 1. Applicant respectfully submits that claims 2, 3, 6, 9, 14-18 and 20-21 are patentable over the cited and relied upon Barry under 35 USC 102(b) for at least the reasons stated above regarding claim 1.

Claim 22 is worded similar to claim 1. Claim 22 was rejected on the basis of being in the same context as claim 1 and rejected using the rationale applied thereto. Applicant respectfully submits that claim 22 is patentable over the cited and relied upon Barry under 35 USC 102(b) for at least the reasons stated above regarding claim 1.

Claims 23-27 and 29 were rejected under 35 USC 102(e) as being anticipated by Bird et al. (hereinafter, Bird). This rejection is respectfully traversed.

Regarding claim 23, the Office action fails to provide any support for the rejection

with respect to each and every element, configured as stated in claim 23. Instead, the Office Action appears to cite differing portions of the cited and relied upon Bird, not a disclosure of the method claimed by Applicant. The Office Action fails to demonstrate that the various aspects of Bird cited and relied upon are disclosed (or suggested) as being combined as claimed by Applicant.

The reconsideration and withdrawal of the 35 USC 102(e) rejection of claim 23 is respectfully requested, as is the allowance of same.

Claims 24-26 depend from claim 23. It is respectfully submitted that claims 24-26 are patentable over the cited and relied upon Bird under 35 USC 102(e) for at least the reasons stated above regarding claim 23.

Regarding claims 27 and 29, Applicant respectfully submits that claim 27 is patentable over the cited and relied upon Bird for at least the reasons discussed hereinabove regarding claim 1.

Claims 4, 5, and 28 were rejected under 35 USC 103(a) as being obvious over Barry in view of Bird. This rejection is respectfully traversed.

Claims 1 and 4 depend from claim 1. As discussed hereinabove regarding claim 1, Barry fails to disclose or suggest a method including receiving a signal from a dual-state button and providing, in response to receiving the signal (from the dual-state button), predefined acceleration data. Thus, even when combined with the alleged teachings of Bird, the Barry/Bird combination fails to render claims 2 and 4 as obvious. That is, contrary to the Office Action Barry does not teach all of the limitations of claim 1.

Claim 28 is also rejected on the basis that Barry teaches all of the limitations of claim 1. However, Barry does not disclose or suggest all aspects of claim 1. Therefore, the alleged teachings of the Barry/Bird combination fail to render claim 28 as obvious.

Claims 7 and 8 were rejected under 35 USC 103(a) as being unpatentable over Barry in view of Gordon et al. (hereinafter, Gordon). This rejection is respectfully traversed.

This rejection relies on the alleged basis that Barry teaches all of the limitations of claim 1. Applicant maintains Barry does not disclose or suggest all of the limitations of claim 1. Thus, the combination of Barry and Gordon fails to render claims 7 and 8 as obvious over Barry and Gordon.

Claims 10, 11, and 13 were rejected under 35 USC 103(a) as being unpatentable over Barry in view of Yamada. This rejection is respectfully traversed.

Claims 10, 11, and 13 depend from claim 1. The rejection of claims 10, 11, and 13 relies on the alleged basis that Barry teaches all of the limitations of claim 1. Again, Barry does not disclose or suggest all of the limitations of claim 1. There is neither the disclosure nor the suggestion of all of the limitations of claim 1 (i.e., the foundation of the present rejection) provided by Barry. Thus, the combination of Barry and Yamada fails to render claims 10, 11, and 13 as obvious over Barry and Gordon.

Claim 17 was rejected under 35 USC 103(a) as being unpatentable over Barry in view of Sturgeon. This rejection is respectfully traversed.

Claim 17 depends from claim 1. The rejection of claim 17 relies on the alleged basis that Barry teaches all of the limitations of claim 1, as performed on a computer. Again, Barry does not disclose or suggest all of the limitations of claim 1. There is neither the disclosure nor the suggestion of all of the limitations of claim 1 (i.e., the foundation of the present rejection) provided by Barry. Thus, the combination of Barry and Sturgeon fails to render claim 17 as obvious over Barry and Sturgeon.

Claims 30–42 are newly added to the application. Each of the newly added

claims is supported by the specification.

Support for claim 30 may be found in the specification at least at page 9, lines 15-21.

Support for claim 31 may be found in the specification at least at page 6, lines 6-7.

Support for claim 32 may be found in the specification at least at page 9, lines 10-11.

Support for claim 33 may be found in the specification at least at page 9, lines 5-6.

Support for claim 34 may be found in the specification at least at page 9, lines 22-23.

Support for claim 35 may be found in the specification at least at page 9, lines 18-20.

Support for claims 36 and 37 may be found in the specification at least at page 10, line 5.

Support for claim 38 may be found in the specification at least at page 12, lines 8-11.

Support for claim 39 may be found in the specification at least at page 12, lines 8-11.

Support for claim 40 may be found in the specification at least at page 13, lines 11-15.

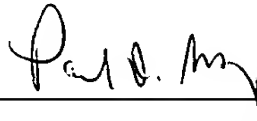
Serial No. : 09/886,419  
Art Unit : 2174

Support for claims 41 and 42 may be found in the specification at least at page 15, lines 9-28.

No new matter has been added to the application as a result of the amendments submitted herewith.

Respectfully submitted,

Date: 5-5-04



Paul D. Greeley, Esq.  
Registration No. 31,019  
Ohlandt, Greeley, Ruggiero & Perle, L.L.P.  
One Landmark Square, 10<sup>th</sup> Floor  
Stamford, CT 06901-2682  
(203) 327-4500